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CECELIA WAHLS

AUGUST 27 (legislative day, AUGUST 1, 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4688]

The Committee on the Judiciary, to which was referred the bill (H. R. 4688) for the relief of Cecelia Wahls, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to provide for the admission into the United States of a minor half-Japanese child in the custody of a United States citizen serviceman and his wife. The bill provides for a waiver of the racial-exclusion provision of the immigration law and grants the status of a nonquota immigrant, which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 4-year-old native and citizen of Japan presently in the care of Master Sergeant D. E. Wahls and Mrs. Wahls, United States citizens. Sergeant Wahls is on duty in Japan, and he and Mrs. Wahls have taken care of the child since 1949 when they took her out of a Catholic orphanage in Tokyo.

Congressman William W. Blackney, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and made the following statement:

STATEMENT OF REPRESENTATIVE WILLIAM W. BLACKNEY

Mr. Chairman and gentlemen of the committee, on July 3, 1951, I introduced H. R. 4688 for the purpose of permitting Cecelia Wahls, an infant approximately 4 years old, to be admitted to the United States from Japan as the natural-born alien child of Master Sgt. D. E. Wahls and Mrs. Virginia M. Wahls, residents of Lansing, Mich., in my congressional district.

Sergeant and Mrs. Wahls have had this child in their care since they took her out of a Catholic orphanage in Tokyo in September 1949, and have come to love her as their own. The Sisters in charge of the orphanage informed Sergeant and Mrs. Wahls that they have been unable to trace the mother, who stated when she left the child in their care that the father was an American soldier.

Sergeant and Mrs. Wahls endeavored to legally adopt the child in Japan, but were informed by the American consul and a representative of the Judge Advocate General's staff that this could only be completed in Michigan. I am informed that they have contacted a lawyer in Lansing, Mich., toward that end, and that the adoption will be completed upon their arrival in the United States.

Officials of the Judge Advocate General's staff in the Far East Command have furnished me with the following papers, which are now on file with your committee:

Signed carbon copy of the agreement for, and consent to adoption executed by Master Sergeant Wahls and his wife, and sister Angelina Barone, authorized representative of Mother Superior, Salesian Orphanage in Tokyo, approved by the chief of the children's bureau, Japan Government, Mr. Masami Takata. The original copy, bearing seals, is being transmitted to the attorney in Lansing, Mich., for use in the adoption.

Release by orphanage.

Medical certificate of infant Cecelia.

Letter from the finance officer of the United States Army stockade containing information relative to present financial status of Sergeant Wahls and his future prospects.

Character reference from Col. C. J. Nelson, commanding officer, United States Army stockade.

Character reference from Capt. Irl H. Street, officer in charge of the housing area where Sergeant and Mrs. Wahls réside.

Character reference from Chaplain Thomas F. Daley, who has known this couple for 2½ years.

Letter from Gen. K. B. Bush, adjutant general, General Headquarters of Far East Command, who is the commanding officer of the unit where Mrs. Virginia Wahls is employed.

English translation of release from orphanage and agreement required by Japanese Welfare Department.

In addition to that, the military authorities have cooperated by retaining Sergeant Wahls and his wife in Japan beyond the date he was scheduled to return to the States (July 16, 1951) pending action on this bill.

Since this child has already been in the care of Sergeant and Mrs. Wahls for approximately 2 years, having been treated as their own daughter, and in view of the very fine character references and favorable letters from the military authorities who have been closely associated with this couple over a considerable period of time, and of the further fact that adoption proceedings are being instigated, I hope it will be the feeling of your committee, as it is mine, that this bill on behalf of the infant Cecelia Wahls, should be passed. I shall greatly appreciate such action on the part of the committee.

The documents referred to in the statement of Congressman Blackney read as follows:

GENERAL HEADQUARTERS, FAR EAST COMMAND,
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,
APO 500, July 11, 1951.

Hon. WILLIAM W. BLACKNEY,
Member of Congress, Washington, D. C.

DEAR MR. BLACKNEY: This will acknowledge receipt of your letter of July 5, relative to the private bill now pending in Congress which you introduced on behalf of M/Sgt. Donald E. Wahls and Mrs. Wahls, to bring to the United States the infant, Cecilia, now in their custody, for adoption in the State of Michigan.

Attached please find an original signed carbon copy of the agreement for, and consent to adoption executed by Master Sergeant Wahls and his wife, Virginia, and Sister Angelina Barone, authorized representative of Mother Superior, Salesian Orphanage, Akabane, Tokyo, Japan, approved by the chief, children's bureau, Japan Government, Mr. Masami Takata. This agreement was entered into on the 10th day of July 1951. This document, with original signatures and official seals, is forwarded in lieu of a certified copy, inasmuch as the seal of the orphanage and the seal of the children's bureau appear on the document. The original agreement is being transmitted to the attorney in Lansing, Mich., for use in the adoption.

Also, please find attached letters, character reference, from Col. C. J. Nelson, commanding officer, United States Army stockade; Capt. Irl H. Street, custodian, Pershing Heights, who is the officer in charge of the housing area where Sergeant and Mrs. Wahls reside; Chaplain Thomas F. Daley, chaplain serving in the United States Army stockade where Sergeant Wahls has been stationed for the past 53 months. You will note Chaplain Daley has known Sergeant Wahls and his wife for 30 months. Also attached please find letter from Gen. K. B. Bush, adjutant general, General Headquarters, Far East Command, who is the commanding officer of the unit where Mrs. Virginia Wahls is employed, together with English translation of release from orphanage and agreement required by Japanese Welfare Department.

The finance officer, United States Army stockade, First Lt. Edmond M. Hayes, has submitted a letter giving the information relative to present financial status of Sergeant Wahls and his future prospects. While you do not specify a medical certificate for Cecilia, an original signed carbon of medical certificate furnished by the Tokyo General Dispensary, Eight Thousand and Sixtieth Army Unit, dated July 10, 1951, is attached for your information.

Sergeant Wahls informs me he is requesting a reasonable extension of his enlistment here and is hopeful that you will be able to report favorable action at an early date. They do not want to leave the child in the care of another person in Japan and return to the States.

Thanking you for your very prompt and comprehensive reply and with best wishes, I am

Very sincerely yours,

MARY C. EASTERLING, *Attorney, Adviser.*

AGREEMENT FOR AND CONSENT TO ADOPTION

Agreement made and dated this the 10th day of July 1951 by and between D. E. Wahls and Virginia M. Wahls, husband and wife, temporarily residing in Tokyo, Japan, and Sister Angilina Barone, authorized representative of Mother Superior of the Salesian Orphanage, Akabane, Tokyo, Japan, a resident citizen of Tokyo, Japan:

Whereas D. E. Wahls and Virginia M. Wahls, husband and wife, are desirous of adopting, pursuant to the provisions of law, Cecelia Wahls, a minor child, of half Japanese nationality, born on the 23d day of March 1947, and to regard and treat such minor child in all respects as their own lawful child, and

Now therefore in consideration of the premises and of the mutual covenant hereinafter expressed it is agreed as follows:

First: The said D. E. Wahls and Virginia M. Wahls, husband and wife, covenant and agree to adopt said minor child and covenant and agree to treat and regard her in all respects as their own lawful child, hereby extending and assuring to such child all rights, benefits, and privileges incident to such relationship, and hereby assume and engage to fulfill all of the responsibilities and duties of parents in respect to such child.

Second: The said Sister Angilina Barone, authorized representative of Salesian Orphanage, Akabane, Tokyo, having heretofore on the 27th day of September 1949, released the said minor child Cecelia Wahls to the custody, care, and possession of D. E. Wahls and Virginia M. Wahls, husband and wife, hereby covenants and agrees and does hereby relinquish and release all claim to any and all rights she and the Salesian Orphanage, Akabane, Tokyo, has to said minor child, and covenants and agrees and does hereby acquiesce in said adoption to the end that said minor child may be and become the lawful child of the said D. E. Wahls and Virginia M. Wahls, husband and wife, and to refrain from doing and causing to be done any act or thing whatsoever which will in any way interfere with the rights, duties, and privileges of said child when so adopted and to refrain from doing or causing to be done any act or thing whatsoever that will in any way interfere with the rights, duties, and privileges of the said D. E. Wahls and Virginia M. Wahls, husband and wife, when such adoption has been accomplished, and as of the Salesian Orphanage, Akabane, Tokyo, does by these provisions give written consent to the custody, care, and possession of the minor child, Cecelia Wahls, to the said D. E. Wahls and Virginia M. Wahls, husband and wife.

Third: The said D. E. Wahls and Virginia M. Wahls, husband and wife, agree that while they are residing in Tokyo, a representative of the Salesian Orphanage, Akabane, Tokyo, may continue to make periodic visits to their home to see the

said Cecelia Wahls, whom they have had in their custody for a period of 22 months, if such representative so desires.

In witness whereof, the parties have set their hands and seals the day and year first above written in the city of Tokyo, Tokyo-to, Japan.

D. E. WAHLS, *Husband.*
VIRGINIA M. WAHLS, *Wife.*

Approved: MASAMI TAKATA,
Chief, Children's Bureau, Japanese Government.

Salesian Orphanage, Akabane, Tokyo, Japan,
Sister Augiolina Barone
(For Mother Superior) (L.B)

HEADQUARTERS, UNITED STATES ARMY STOCKADE,
APO 503, July 11, 1951.

To Whom It May Concern:

M/Sgt. Donald E. Wahls, RA36434700, has served 8½ years in the United States Army. He is on an indefinite enlistment. He has expressed his desire to make the Army his career. His Army record is unblemished.

M/Sgt. Donald E. Wahls, monthly salary after all deductions are withdrawn is $243.

His wife is employed at a monthly wage of $290 after all deductions have been withdrawn.

EDMOND M. HAYES,
First Lieutenant, AGC, Assistant Adjutant.

DAUGHTERS OF MARY HELP OF CHRISTIAN

(SALESIAN SISTERS)

SEIBI GAKUEN ORPHANAGE,
Tokyo-Japan Kitaku Fukuromachi, 2, July 10, 1951.

1. We wish to release Otani Kimiko to Master Sergeant and Mrs. Donald E. Wahls for adoption.
2. We know that Master Sergeant and Mrs. Wahls will provide for and take good care of Otani Kimiko.
3. We have found Master Sergeant and Mrs. Wahls very fine people and agree to release Otani Kimiko.

LETIZIA BEGLIATTI,
Mother Superior.

JULY 11, 1951.

To Whom It May Concern:

M/Sgt. Donald E. Wahls, RA36434700, has served in this command as sergeant major of the prison administration section for the past 18 months. He has cheerfully assumed the varied responsibilities encumbent upon this important position with aggressive, faultless leadership and has discharged all his duties with the utmost efficiency, reflecting much credit upon the section and himself.

Master Sergeant Wahls is exemplary of the highest standards of the service as to character, behavior, trustworthiness, dependability, initiative, and intelligence. He is religious, temperate in his habits, extremely devoted to his home and family, and provident for the future. His judgment is excellent, his attention to duty is meticulous. His relationship and reputation among enlisted men and officers alike sustain him in an enviable position of trust and respect.

C. J. NELSON,
Colonel, MPC, Commanding.

JULY 10, 1951.

To Whom It May Concern:

I have known M/Sgt. Donald E. Wahls, RA36434700, of the United States Army stockade for 30 months.

He is a person of the highest moral character; a man respected by his fellow soldiers at the stockade; a man in whom his superiors have the highest confidence.

His record in the Army convinces me that he has served the interests of the Army to the best of his ability, for he has attained the highest rank in the service that an enlisted man may attain.

That to my mind shows the type of individual he is.

Sincerely yours,

THOMAS F. DALEY,
Chaplain (Captain), United States Army.

GENERAL HEADQUARTERS,
FAR EAST COMMAND, OFFICE OF THE ADJUTANT GENERAL,
APO 500, July 9, 1951.

To Whom It May Concern:

Mrs. Virginia M. Wahls has been an employee of the Casualty Branch of my section since January 29, 1951. During that period she has been a loyal, conscientious, and efficient worker and her professional and personal conduct has been above reproach. I do not hesitate to recommend her as a dependable individual with high moral standards—one who would be a credit to any community.

K. B. BUSH,
Brigadier General, United States Army,
Adjutant General.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4688) should be enacted.

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